

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KITCHEN WINNERS NY INC.,
Plaintiff,

vs.

ROCK FINTEK LLC,
Defendant.

Civil Action No.
22-cv-05276-PAE

ROCK FINTEK LLC,
*Counterclaim and Third-
Party Plaintiff,*

vs.

KITCHEN WINNERS NY INC,
Counterclaim Defendant,

and

ADORAMA INC., HERSHEY WEINER, JOSEPH
MENDLOWITZ, JNS CAPITAL HOLDINGS LLC
and JOEL STERN,
Third-Party Defendants.

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the Declaration of Avram E. Frisch dated February 14, 2024, and the exhibits annexed thereto; the Declaration of Joel Stern, dated February __, 2024, the Joint Stipulated Facts, a Rule 56.1 Statement of Undisputed Facts, and upon the accompanying memorandum of law; and upon all the pleadings and prior proceedings had herein, Third Party Defendants JNS Capital Holdings LLC and Joel Stern (the “JNS Defendants”) will move this Court, before the Honorable Paul A. Engelmayer, at the United States District Court, Southern District of New York, 40 Foley Square, Courtroom 1305, New York, NY 10007, for an order:

(a) granting summary judgment in favor of the JNS Defendants dismissing Defendant/Counterclaim and Third-Party Plaintiff Rock Fintek LLC’s (“Rock Fintek”) Third-Party Complaint against Mr. Stern and JNS; and

(b) Granting as such other and further relief as the Court deems just and proper.

THE LAW OFFICE OF AVRAM E.
FRISCH LLC
Attorneys for Plaintiff

By: /s/ Avram E. Frisch

Avram E. Frisch, Esq.
1 University Plaza, Suite 119
Hackensack, NJ 07601
201-289-5352
frischa@avifrischlaw.com

Dated: February 16, 2024